

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2013-59-E - ORDER NO. 2013-506

JULY 2, 2013

IN RE: Application of Duke Energy Carolinas, LLC) ORDER DENYING
for Authority to Adjust and Increase Its) INTERVENTION
Electric Rates and Charges)

This matter comes before the Public Service Commission of South Carolina (“Commission”) on a Petition to Intervene in this Docket from Joseph Wojcicki. He bases this request on his technical expertise as an electrical engineer and energy consultant, declaring his desire is to ensure that Duke Energy Carolinas, LLC’s (“Duke” or “Company”) “reactors” safely produce energy. Duke objects to Mr. Wojcicki’s Petition on the grounds that he lacks legal standing to intervene because he is not a Duke customer and has failed to express an injury to a legally protected interest.

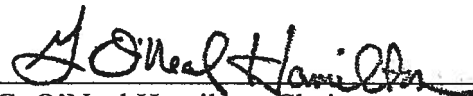
It is our opinion that Mr. Wojcicki cannot show a personal stake in the outcome of this proceeding, either as a Duke customer or otherwise, to have standing to intervene. As Duke states in its objection to the Petition, since he is not a Duke customer, Mr. Wojcicki cannot establish that he would be personally affected by the outcome as a ratepayer to the Company. Further, although the Commission shares Mr. Wojcicki’s desire to protect the public in the safe production of energy, we do not find an injury to a legally protected interest that would otherwise necessitate granting intervention. Merely

possessing a technical expertise or having a technical interest in the subject matter of a case does not rise to the level of an injury in fact that our South Carolina courts require in order to participate as a party. *Gov't Employee's Ins. Co., Ex parte*, 373 S.C. 132, 644 S.E.2d 699 (2007).

Last, Mr. Wojcicki refers to another individual who was allowed to intervene over Duke's objections in a different docket, concerning a different subject matter, and uses that intervention as a reason to grant his Petition in the present Docket. However, in that situation the intervening party demonstrated a legal injury related to the facts of that docket which Mr. Wojcicki has failed to show in his Petition of this Docket. *Commission Order No. 2011-264* (April 6, 2011).

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:


G. O'Neal Hamilton, Chairman

ATTEST:



Nikiya Hall, Vice Chairman

(SEAL)